

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

A. C., and H. C., by their Next Friend BARBARA WEINER,  
individually and on behalf of all others similarly situated.

Plaintiffs,

05 Civ. 2986 (TPG)

- against -

JOHN MATTINGLY, in his official capacity as Commissioner of the New York City Administration for Children's Services, and JOHN JOHNSON, in his official capacity as Commissioner of the New York State Office of Children and Family Services,

NOTICE OF MOTION

### Defendants.

PLEASE TAKE NOTICE that upon the original Complaint, dated March 18, 2005; the Amended Complaint on Behalf of the Plaintiff Children, dated June 17, 2005; the Declaration of Jennifer Baum, dated June 17, 2005, and accompanying Memorandum of Law; the proposed Second Amended Complaint dated July 14, 2005; the Declaration of Jennifer Baum dated July 14, 2005, and accompanying Memorandum of Law; the plaintiff children A.C. and H.C. shall move this Court before the Honorable THOMAS P. GRIESA, U.S.D.J., on August 2, 2005, at the United States Courthouse, 500 Pearl Street, New York, New York, for an order;

(1) granting leave to file a Second Amended Complaint on behalf of the Plaintiff Children, pursuant to Fed. R. Civ. P. 15(a); and

(2) Granting such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Local Civil Rule 6.1(b)(2), any opposing affidavits and answering memoranda shall be served within ten business days after service of this moving paper.

Dated: New York, New York  
July 15, 2005

Respectfully submitted,

THE LEGAL AID SOCIETY  
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Rights Division  
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